

REMARKS

In the Office Action mailed January 30, 2008, the Examiner rejects claims 1, 2, 5 through 15, 36, 41 and 42 under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 6,177,931 to Alexander et al. ("Alexander") in view of U.S. Patent No. 6,199,080 to Nielsen ("Nielsen").

Claims 1, 2, 5 through 15, 36, 41 and 42 are currently pending in the present application, with claims 1, 36 and 41 being independent claims. By way of the present Response, Applicants hereby amend independent claims 1, 36 and 41. No new matter has been added and the amendments are supported by the specification as originally filed. For at least the reasons set forth below, Applicants respectfully submit that all pending claims are allowable and respectfully request withdrawal of the rejection of claims 1, 2, 5 through 15, 36, 41 and 42.

Claim 1 stands rejected under 35 U.S.C. 103(a) as obvious over Alexander in view of Nielsen. Independent claim 1 of the present application, as currently amended, is directed towards a method for displaying advertising in an electronic program guide on a display device, the electronic program guide comprising at least a list of program cells each containing a program choice available for viewing. The method of independent claim 1 comprises scrolling the list of program cells on the display device in a first direction in accordance with a first scrolling scheme and displaying an advertisement cell within the list of program cells. An advertisement cell is moved in the first direction in accordance with a second scheme different than that first scrolling scheme as the list of program cells scrolls in the first direction. Moving the advertisement cell in accordance with the second scheme comprises scrolling the advertisement cell in concurrence with

the scrolling of the program cell list during a first time portion, keeping the advertisement cell stationary during a second time portion in which the program cell list scrolls, the second time portion based upon a first number of program cells which have moved past the advertisement cell while the advertisement cell is kept stationary, and scrolling the advertisement cell in concurrence with the scrolling of the program cell list upon the expiration of the second time portion. Independent claims 36 and 41 are directed to user interfaces, which comprise substantially similar elements to those comprising independent claim 1.

In the Office Action dated January 30, 2008, the Examiner acknowledges that Alexander fails to teach or suggest “keeping the advertisement cell stationary during a second time portion in which the program cell list scrolls; and determining the second time portion based upon a first number of program cells which have moved past the advertisement cell while the advertisement cell is kept stationary” (Office Action, pg. 3). The Examiner asserts that Nielsen overcomes this deficiency. Nielsen, however, does not teach or suggest at least “scrolling the advertisement cell in concurrence with the scrolling of the program cell list upon the expiration of the second time portion.

Nielsen discusses a process of attaching supplemental information to primary information. For a table, attached edges are the rows and columns that surround the body cells (Column 13, ll. 1-17). An attached edge is related to supplemental information in that the attached edge indicates where the supplemental information is to be displayed with respect to the position of the primary information (Column 13, ll. 1-17). This is not the same as the presently claimed second time portion, which is based upon a first number of program cells which have moved past an advertisement cell while

the advertisement cell is kept stationary. Nielsen discusses that the movement of supplemental information is based on an attached edge of primary information (Column 7, ll. 4-23), whereas the presently claimed invention is based on a number of program cells that have moved past an advertisement cell. Supplemental information is linked to primary information such that as long as an indicated area of primary information is displayed, indicated lines of supplemental information are displayed on the screen with the indicated area of primary information (Column 7, ll. 4-23).

Nielsen also does not teach or suggest “scrolling the advertisement cell in concurrence with the scrolling of the program cell list upon the expiration of the second time period.” The supplemental information of Nielsen does not scroll in concurrence with the scrolling of primary information upon expiration of a time period based on a number of cells or lines moving past the supplemental information while the supplemental information is kept stationary. At best, the supplemental information scrolls concurrently with the primary information before it becomes stationary at the edge of a screen to allow the supplemental information to always be displayed with the primary information (abstract and figures 13b-13e).

According to Nielsen, the supplemental information remains stationary at the end of the screen when scrolling to the end of the screen, as long as a specified edge of the primary information is still displayed. An edge refers to a location whereas a number of cells refer to an amount or distance passed through. In other words, the supplemental information remains at the end of a screen until the primary information is no longer visible, which is based upon a certain edge location, thereafter the context as a whole is scrolled (Column 12, ll. 34-44). The supplemental information is not shown by

Nielsen to scroll concurrently with the primary information upon expiration of a second time portion, where the second time portion is based on the number of cells that have moved past the primary information.

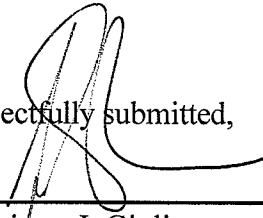
Although Nielsen may keep supplemental information stationary during a second time portion, Nielsen does not teach or suggest that the supplemental information scroll concurrently with the primary information when a second time portion has expired, where the second time portion is based upon the number of cells that have moved past the primary information. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claims 1, 36 and 41.

The dependent claims of the present application contain additional features that further substantially distinguish the invention of the present application over Alexander, Nielsen and the prior art of record. Given the Applicants' position on the patentability of the independent claims, however, it is not deemed necessary at this point to delineate such distinctions.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the Examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Dated: July 28, 2008

Respectfully submitted,



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